



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

June 26, 2007

IN REPLY PLEASE

REFER TO FILE: **MP-2**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**88TH STREET EAST - PARCEL 2-15RE  
PUBLIC HEARING ON RESOLUTION  
OF NECESSITY TO CONDEMN REAL PROPERTY  
UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES  
SUPERVISORIAL DISTRICT 5  
4 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:**

1. Find that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Adopt the enclosed Resolution of Necessity to condemn an easement for public road and highway purposes in Parcel 2-15RE located adjacent to 88th Street East in the unincorporated area of the County of Los Angeles.
3. Instruct County Counsel to file condemnation proceedings and take the necessary action to obtain an Order of Immediate Possession.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Public Works is proposing a project to pave segments of the unimproved portions of 88th Street East from Avenue Q-4 to Palmdale Boulevard in the unincorporated County area to create two 28-foot-wide lanes plus a 4-foot inverted shoulder on each side to provide drainage to the roadway.

The purpose of this action is to adopt a Resolution of Necessity to file a condemnation action to acquire an easement in the property adjacent to 88th Street East sufficient for the proposed improvements.

The owners of record are deceased, and it is not clear to whom the property currently belongs. The recommended condemnation action will place the parcel in the County's possession and enable the County to complete the required improvements for the project.

#### **Implementation of Strategic Plan Goals**

This action is consistent with the County's Strategic Plan Goal of Service Excellence as it will allow construction of certain road improvements, thus improving the quality of life of the residents in the County.

#### **FISCAL IMPACT/FINANCING**

The fair market value of the right of way is \$1,000 plus additional condemnation processing costs.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The property to be acquired consists of an easement for public road and highway purposes of approximately 4,800 square feet over a portion of the property located at 38462 88th Street East, in the Sun Village unincorporated area of the County of Los Angeles.

In accordance with Section 1245.230 of the Code of Civil Procedure, the Resolution of Necessity must contain the following findings and determinations:

1. The public interest and necessity require this project.
2. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property proposed to be acquired, as described in the Resolution, is necessary for this project.

The proposed improvements will create a suitable, safe, and operable roadway and provide a more efficient way of eliminating stormwater runoff, which will help contribute to the health and appearance of the community and aid in the revitalization of this area.

California Code of Civil Procedure Section 1245.230 also requires that the Resolution of Necessity contain a finding and determination that the offer required by Section 7267.2 of the Government Code was made to the owners of record or that the offer was not made because the owners cannot be located with reasonable diligence.

Public Works has prepared an appraisal of the fair market value of the property proposed to be acquired and, based on this appraisal, has established an amount believed to be just compensation for the property. However, no offer has been made to the owners of record because the owners could not be located.

A private investigator, Jay Jakar, was assigned to locate the owners of record, Ralph W. Miller and Georgia F. Miller. Mr. Jakar determined that Mr. and Mrs. Miller were deceased and that Mr. and Mrs. Miller's children were unaware that their parents ever owned the subject property. Enclosed is Mr. Jakar's declaration describing his investigation and findings.

The property is currently occupied by Helen L. James. Helen James' stepson, Hassen James, claims his father, George James, deceased, acquired the property from Mr. and Mrs. Miller. There is no record of this transaction. Helen James and Hassen James have executed an Easement Deed in favor of the County.

Section 1245.235 of the Code of Civil Procedure requires that your Board hold a Public Hearing prior to determining whether or not to adopt the Resolution of Necessity. Notices of the public hearing have been sent by first-class mail to the known heirs of Mr. and Mrs. Miller and Mr. James.

#### **ENVIRONMENTAL DOCUMENTATION**

The transaction is categorically exempt from the provisions of CEQA. The project is within the class of projects that have been determined not to have a significant effect on the environment in that it meets the criteria specified in Sections 15301(c) and 15304(a) of State CEQA Guidelines and in Classes 1(x)(8) and 4(a) of the County Environmental Document Reporting Procedures and Guidelines.

The Honorable Board of Supervisors  
June 26, 2007  
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**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

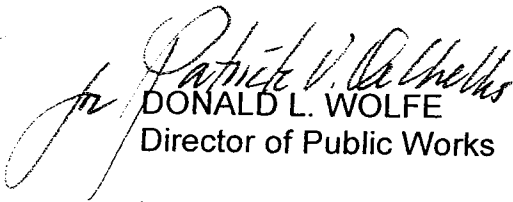
None.

**CONCLUSION**

This action is in the best interest of the County. Enclosed are one original and four duplicates of the proposed Resolution of Necessity. Upon adoption, please retain two copies for your files and transmit the original and one conformed copy to County Counsel's office and one copy to this office.

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,

  
DONALD L. WOLFE  
Director of Public Works

DR:adg  
P2161 88TH ST CONDEMN

Enc. (6)

cc: Auditor-Controller (Accounting Division - Asset Management)  
Chief Administrative Office  
County Counsel

## DECLARATION OF JAY JAKAR

I, Jay Jakar declare and state that I am over the age of 18 and not a party to this action. That I have personal knowledge of the facts contained here in and if called upon to testify thereto in a court of law could and would competently do so.

I am employed as an Investigator by Calserve, Inc., a vendor to the Office of the Los Angeles County Counsel. On September 21, 2006, in the normal course of business, I received an assignment to locate the present whereabouts of Ralph W. Miller and Georgia F. Miller, a husband and wife. The Millers were the last known owners of record for a real property located at: 38432 88<sup>th</sup> st East, Palmdale, California. Parcel Number 3027-010-007.

I was furnished a last known address for Ralph W. and Georgia F. Miller of: 1645 14<sup>th</sup> st Los Osos, California 93401. A check of records showed that the listing for the Millers at that address was in 1983. The property has changed ownership 3 times since 1983 and no information could be found concerning the Millers or a forwarding address for them.

A check of the Registrar of Vital Statistics for San Luis Obispo County listed the death of Ralph W. Miller as February 1, 1987 and Georgia F. Miller as June 2, 1995. Both in San Luis Obispo, California. I obtained Informational copies of their Death Certificates, attached hereto as Exhibits A and B. Both Death Certificates listed a Dorothy Jean Miller as Informant.                                 

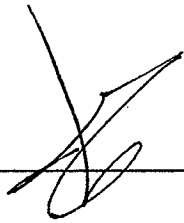
I located Dorothy Jean Miller (81 years of age) who now resides in Meridian, Idaho. Ms Miller was reluctant to provide information. She referred me to the eldest son of the Miller, John Miller (87 years of age) of Cameron Park, California. When I spoke with John Miller he informed me that he had spoken with his sister Dorothy Jean Miller regarding my request for information. She informed him that she had "years ago" thrown out all document, including Wills, concerning their parent. She had no knowledge of their parent ever owning any property in Palmdale, California. Mr. Miller also confirmed that his parents never owned any property that he was aware of.

Jakar Decalration  
Re: Miller

A search of the Los Angeles County Treasurer and Tax Collector records for Parcel Number 3027-010-007, located at: 38432 88<sup>th</sup> st East, Palmdale, California list the property a delinquent since 1995 and "Subject to Power to Sell".

I declare under the penalty of perjury that all of the foregoing is true and correct.  
Executed this 23<sup>rd</sup> day of January 2007 at: Los Angeles, California.

Jay Jakar

A handwritten signature in black ink, appearing to be "Jay Jakar", is written over a horizontal line. The signature is stylized with a large, sweeping loop.

## COUNTY OF SAN LUIS OBISPO

SAN LUIS OBISPO, CALIFORNIA

INFORMATIONAL, NOT A VALID DOCUMENT  
TO ESTABLISH IDENTITYCERTIFICATE OF DEATH  
STATE OF CALIFORNIA

3-87-40-000159

STATE FILE NUMBER		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	
1A. NAME OF DECEDENT—FIRST RALPH		1B. MIDDLE WILLIAM	
1C. LAST MILLER		2A. DATE OF DEATH MONTH, DAY, YEAR February 1, 1987	
3. SEX Male		4. RACE/ETHNICITY White	
5. SPANISH/HISPANIC NO OR YES		6. DATE OF BIRTH October 16, 1899	
7. AGE 87 YEARS		8. UNDER 1 YEAR MONTHS DAYS	
9. NAME AND BIRTHPLACE OF FATHER IN. John S. Miller - IN.		10. BIRTH NAME AND BIRTHPLACE OF MOTHER Edna E. Smith - IN.	
11A. CITIZEN OF WHAT COUNTRY USA		11B. IF DECLARED WAS EVER IN MILITARY GIVE DATES OF SERVICE 19 TO 19	
12. SOCIAL SECURITY NUMBER 548-07-8794		13. MARITAL STATUS Married	
14. NAME OF SURVIVING SPOUSE OF WIFE, ENTER BIRTH NAME Georgia F. Shepherd		15. KIND OF INDUSTRY OR BUSINESS Construction	
16. USUAL RESIDENCE—STREET ADDRESS (STREET AND NUMBER OR LOCATION) 1645 14th St.		17. CITY OR TOWN Los Osos	
18. COUNTY San Luis Obispo		19. STATE California	
20. NAME AND ADDRESS OF INFORMANT—RELATIONSHIP Dorothy J Miller - Daughter 38532 Glenbush Ave. Palmdale, CA. 93550		21. PLACE OF DEATH Hillhaven Care Center 1425 Woodside Dr. San Luis Obispo	
22. DEATH WAS CAUSED BY: IMMEDIATE CAUSE COCAINE, W. ANY, WHICH GAVE RISE TO THE IMMEDIATE CAUSE, STATING THE UNDERLYING CAUSE LAST. (A) RESPIRATORY ARREST (B) ALZHEIMER'S DISEASE (C)		23. WAS DEATH REPORTED TO CORONER? NO 24. WASopsy PERFORMED? NO 25. WAS AUTOPSY PERFORMED? NO	
26. OTHER SIGNIFICANT CONDITIONS—CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 22A		27. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEMS 22 OR 23? TYPE OF OPERATION None	
28A. I CERTIFY THAT DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED. ATTENDED DECEDENT SINCE (ENTER NO. DA. YR.) 4/4/66 LAST SAW DECEDENT ALIVE (ENTER NO. DA. YR.) 1-27-87		28B. PHYSICIAN—SIGNATURE AND DEGREE OR TITLE Ralph A. Kettlekamp MD. 28C. DATE SIGNED 2/2/87 28D. PHYSICIAN'S LICENSE NUMBER 68432	
29. SPECIFY ACCIDENT, BACIDE, ETC.		30. PLACE OF INJURY	
31. INJURY AT WORK		32A. DATE OF INJURY—MONTH, DAY, YEAR 32B. HOUR	
33. LOCATION (STREET AND NUMBER OR LOCATION AND CITY OR TOWN)		34. DESCRIBE HOW INJURY OCCURRED (EVENTS WHICH RESULTED IN INJURY)	
35A. I CERTIFY THAT DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED. AS REQUIRED BY LAW I HAVE HELD AN (INVESTIGATION)		35B. CORONER—SIGNATURE AND DEGREE OR TITLE 35C. DATE SIGNED	
36. DISPOSITION Burial		37. DATE—MONTH, DAY, YEAR 2-4-1987	
38. NAME AND ADDRESS OF CEMETERY OR CREMATORY Los Osos Valley Mem. Park, Los Osos, CA.		39. EXAMINER'S LICENSE NUMBER AND SIGNATURE 64899 [Signature]	
40A. NAME OF FUNERAL DIRECTOR (OR PERSON ACTING AS SUCH) Benedict-Retty Mortuary		40B. LICENSE NO. 891	
41. LOCAL REGISTRAR—SIGNATURE [Signature]		42. DATE ACCEPTED BY LOCAL REGISTRAR February 4, 1987	
STATE REGISTRAR A. B. C. D. E. F.		Health Officer G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.	

INFORMATIONAL, NOT A VALID DOCUMENT  
TO ESTABLISH IDENTITY

## CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA  
COUNTY SAN LUIS OBISPO

SS

DATE ISSUED: DEC 29 2006

This is a true and exact reproduction of the document officially registered and placed on file in the office of the SAN LUIS OBISPO COUNTY CLERK-RECORDER or this is to certify this document is a true abstract of the official record filed with the County Clerk-Recorder.

Julie L. Redwood  
COUNTY CLERK-RECORDER

This copy not valid unless prepared on engraved border displaying seal and signature of County Registrar.

## COUNTY OF SAN LUIS OBISPO

SAN LUIS OBISPO, CALIFORNIA

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## CERTIFICATE OF DEATH

3 1995-40-000710

STATE FILE NUMBER		USE PLACE AND ONLY TWO ERASURES WITHOUTS OR ALTERATIONS YES (11 OR 12)		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT—FIRST GIVEN GEORGIA		2. MIDDLE FLORINDA		3. LAST (FAMILY) * MILLER	
4. DATE OF BIRTH MM/DD/CCYY 11/18/1899		5. AGE YRS. 95		6. SEX F	
7. DATE OF DEATH MM/DD/CCYY 06/02/1995		8. HOUR 1400			
9. STATE OF BIRTH OR.		10. SOCIAL SECURITY NO. 570-38-2873		11. MILITARY SERVICE 10 TO 10 <input checked="" type="checkbox"/> NONE	
12. MARITAL STATUS Widowed		13. EDUCATION—YEARS COMPLETED 12			
14. RACE Caucasian		15. HISPANIC—SPECIFY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		16. USUAL EMPLOYER Self	
17. OCCUPATION Homemaker		18. KIND OF BUSINESS Home		19. YEARS IN OCCUPATION 75	
20. RESIDENCE—STREET AND NUMBER OR LOCATION 1425 Woodside Dr.		21. CITY San Luis Obispo		22. COUNTY San Luis Obispo	
23. ZIP CODE 93401		24. YES IN COUNTY 47		25. STATE OR FOREIGN COUNTRY California	
26. NAME RELATIONSHIP Dorothy J. Miller - Daughter		27. MARITAL ADDRESS (STREET AND NUMBER OR JUDICIAL OFFICE NUMBER, CITY OR TOWN, STATE, ZIP) 38532 Glenbush Ave. Palmdale, CA. 93550			
28. NAME OF SURVIVING SPOUSE—FIRST —		29. MIDDLE —		30. LAST (MARRIED NAME) —	
31. NAME OF FATHER—FIRST George		32. MIDDLE —		33. LAST Shepherd	
34. BIRTH STATE —		35. NAME OF MOTHER—FIRST Alfaretta		36. MIDDLE —	
37. LAST (MARRIED NAME) Chandler		38. BIRTH STATE KS.			
39. DATE MM/DD/CCYY 06/05/1995		40. PLACE OF FINAL DISPOSITION Los Osos Valley Memorial Park, Los Osos, CA.			
41. TYPE OF DISPOSITION Burial		42. SIGNATURE OF DECEASED <i>George Miller</i>		43. LICENSE NO. 6489	
44. NAME OF FUNERAL DIRECTOR Benedict-Retty Mortuary		45. LICENSE NO. FD891		46. SIGNATURE OF LOCAL REGISTRAR <i>Julia L. Rodewald</i>	
47. DATE MM/DD/CCYY 06/05/1995					
101. PLACE OF DEATH Hillhaven Care Center		102. IF HOSPITAL, SPECIFY ONE: <input type="checkbox"/> IP <input type="checkbox"/> ER/OP <input type="checkbox"/> OOA <input checked="" type="checkbox"/> CONV. <input type="checkbox"/> HOSP. <input type="checkbox"/> RES. <input type="checkbox"/> OTHER		103. COUNTY San Luis Obispo	
104. STREET ADDRESS—STREET AND NUMBER OR LOCATION 1425 Woodside Dr.		105. CITY San Luis Obispo			
106. DEATH REPORTED TO CORONER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		107. DEATH REPORTED TO CORONER 95R-0455			
108. MOPET PERFORMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		109. MOPET PERFORMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
110. USED IN DETERMINING CAUSE <input type="checkbox"/> YES <input type="checkbox"/> NO		111. USED IN DETERMINING CAUSE <input type="checkbox"/> YES <input type="checkbox"/> NO			
112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 107		113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? IF YES, LIST TYPE OF OPERATION AND DATE.			
114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSE STATED. DECEASED ATTENDED SINCE DECEASED LAST SEEN ALIVE MM/DD/CCYY 10/30/1986 01/07/1995		115. SIGNATURE AND TITLE OF CORONER <i>Ralph A. Retteikamp</i>		116. LICENSE NO. G8432	
117. TYPE OF DEATH 118. TYPE OF DEATH 119. TYPE OF DEATH		120. MOPET PERFORMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		121. MOPET PERFORMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
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**A RESOLUTION OF NECESSITY OF THE COUNTY OF LOS ANGELES  
TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE  
PROPERTY FOR IMPROVEMENTS TO 88TH STREET EAST**

WHEREAS, the County of Los Angeles Department of Public Works proposes to improve segments of 88th Street East with asphalt concrete pavement (hereinafter referred to as Project); and

WHEREAS, the Project is proposed to be located, in part, on a portion of the property located at 38432 - 88th Street East, Palmdale, California, identified by Assessor Identification No. 3027-010-007.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1. The public interest and necessity require the Project.

Section 2. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

Section 3. The property described in Section 5, below, is necessary for the Project.

Section 4. The offer required by Section 7267.2 of the Government Code has not been made to the owners of record because the owners of record cannot be located with reasonable diligence.

Section 5. The property to be acquired is located in the unincorporated territory of the County of Los Angeles and depicted on the map attached hereto and incorporated herein as Exhibit A, and consists of an easement for public road and highway purposes on, over, and across all that real property described as Parcel 2-15RE in Exhibit B, attached hereto and by this reference made a part hereof.

Section 6. The property described in Section 5 above, is to be taken for public use, namely, for public road and highway purposes and all uses necessary, incidental, or convenient thereto, in connection with the construction, operation, and maintenance of 88th Street East.

Section 7. The County is authorized to acquire the property interests described hereinafter pursuant to the following:

- a. Article 1, Section 19 of the Constitution of the State of California;
- b. California Code of Civil Procedure, Sections 1230.010 through 1273.050;

- c. California Government Code, Section 25350.5; and
- d. California Streets and Highways Code Section 943

Section 8. The County Counsel is hereby authorized to institute eminent domain proceedings in the Superior Court of the State of California for the County of Los Angeles for the purpose of acquiring the real property described in Section 5 above, and is further authorized to institute proceedings for taking immediate possession in accordance with the provisions of all applicable laws.

The foregoing Resolution was duly adopted by the Board of Supervisors of the County of Los Angeles by at least a four-fifth vote of the members thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

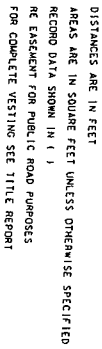
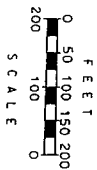
APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors  
of the County of Los Angeles

By  \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy



DATA CONTAINED IN THIS MAP WAS PRODUCED IN WHOLE OR PART FROM LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS DIGITAL DATABASE.

Parcel	
	ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

EXHIBIT "A"

RIGHT OF WAY MAP  
COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS  
DONALD L. WOLFE  
DIRECTOR OF PUBLIC WORKS

MAPING AND PROPERTY MANAGEMENT DIVISION  
APPROVED BY:

Marlene J. Jester  
MAPPING & PROPERTY MANAGEMENT  
2/2/01  
DATE

PROJECT NAME  
88TH STREET EAST (2)  
AVENUE 0-4 TO PALMDALE BLVD

PLANT NAME: MPOCO11681.BRY.COM  
ORIGIN/MATERIAL: OATC: 12-21-06 DT: 16.04.05

# EXHIBIT B


Descriptions of Parcels of Land in the unincorporated territory  
of the County of Los Angeles, State of California, to be Acquired  
for and in connection with Public Road and Highway Purposes

88TH STREET EAST (2)  
AVENUE Q-4 TO PALMDALE BOULEVARD  
(X2500768)

Resolution and/or Complaint

DESCRIPTION APPROVED  
Dated: November 30, 2006

DONALD L. WOLFE  
Director of Public Works

By  \_\_\_\_\_, Deputy

Project Name: 88TH STREET EAST  
Avenue Q-4 to Palmdale Bl  
**88TH STREET EAST 2-15RE**  
A.P.N. 3027-010-007  
T.G. 4197 (J7)  
I.M. 324-277  
Fifth District  
X2500768

**LEGAL DESCRIPTION**

**PARCEL NO. 2-15RE:** (Easement for public road and highway purposes):

The westerly 30.00 feet of Parcel 21, as shown on map filed in Book 64, page 50, of Record of Surveys, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

To be known as **88TH STREET EAST.**

Containing: 4800± square feet.